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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,793	02/06/2002	Robert C. Yen	RCY1P004	7468

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EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/068,793

Applicant(s)

YEN, ROBERT C.

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 10 is objected to because of the following informalities: The claim is missing the phrase 'of the mobile wireless internet service provider', at the end of the sentence. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 6-10 and 12 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S. Patent No. 6,247,050 by Tso et al, hereinafter Tso.

Regarding claim 6, Tso discloses a method for reduction of bandwidth requirements based on user's defined level of resolutions and compression scheme (column 1, lines 31-42; column 3, lines 16-34), the method comprising: establish one or multiple buffer memory storage space for each mobile wireless internet service subscriber/user at servers or remote scaling servers (see Figure 5) of a mobile wireless internet service provider (column 2, line 48 – column 3, line 15; column 4, line 55 – column 4, line 11); and establish a web page or other means from the mobile wireless internet service provider to provide the subscriber/user bandwidth trade-off options to be applied to requested web content (column 3, line 55 – column 4, line 41).

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Regarding claim 7, a method as recited in claim 6, wherein Tso further discloses the bandwidth trade-off options are presented to the subscriber/user as a table or list (column 5, line 8 – column 7, line 50).

Regarding claim 8, a method as recited in claim 6, wherein Tso further discloses the bandwidth trade-off options are pertain to one or more of different color tones and/or monochrome tones, different resolution levels, and different data compression options (column 4, lines 12-29; column 6, lines 18-62; column 7, line 61 – column 8, line 27).

Regarding claim 9, a method as recited in claim 6, wherein Tso further discloses said method further comprises: temporary storage of the complete or partial web page data requested by the mobile wireless internet subscriber/user and transmitted by the remote web host sites (column 3, line 55 – column 4, line 41; column 5, lines 7-23; column 7, line 61 – column 8, line 45).

Regarding claim 10, a method as recited in claim 9, wherein Tso further discloses the temporary storage of the complete or partial web page data are stored at the servers of the mobile wireless internet service provider (column 4, lines 30-41).

Regarding claim 12, Tso discloses a method for mapping and comparing characteristics of web page data requested by a mobile wireless internet service subscriber/user to user set options/criteria and the bandwidth available for the mobile wireless transmission of such web page data to the user's mobile wireless internet device or network client (see Figure 5; column 1, lines 31-42; column 2, line 48 – column 3, line 34; column 3, line 55 – column 4, line 41).

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Response to Arguments

4. Applicant's arguments, see page 4, filed June 21, 2004, with respect to the rejection(s) of claim(s) 6-10 and 12 under 35 USC 102(e) being unpatentable by Kirani, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made: 102(e) rejection(s) for claims 6-10 and 12 being unpatentable by U.S. Patent Application No. 6,247,050 by Tso. Please see the rejections above for further review.

5. Accordingly, **THIS ACTION IS MADE NON-FINAL.**

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,014,707 by Miller et al disclose the method of transferring data from a server to a client comprises requesting, by the client, transfer of the data in accordance with a transfer unit size specified by the client

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
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Or faxed to:

(703) 872-9314 (for formal communications intended for entry)

Or call:

(703) 306-0377 (for customer service assistance)

Hand-delivered responses should be brought to: Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).


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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (703) 305-4302. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

LH

lh
December 8, 2004


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600